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CP 1638
#913
BP
1/18/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re:

Application of: Jepson et al.

Group Art Unit: 1638

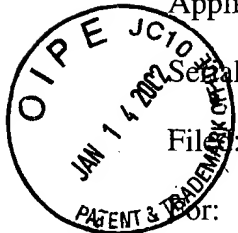
Serial Number: 09/581,036

Examiner: A. Kubelik

Filed: August 8, 2000

For: Genetic Method

Attorney Docket No.: SYN-055/PPD 50288/UST



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I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to Assistant Commissioner of Patents, Washington, D.C. 20231 on October 23, 2001


Dawn S. Giovino

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

RESPONSE TO RESTRICTION REQUIREMENT

This Response is responsive to the Office Action mailed from the Patent Office on October 5, 2001. The Commissioner is authorized to charge any fees necessary for the continued pendency of the above-identified application to our Deposit Account No. 08-0219.

In the Claims

Please cancel claim 3.

Remarks

Claims 1-16 are pending in the application and have been subjected to a twelve-way restriction requirement. Applicants elect, without traverse, the claims of Group V for examination in this application. Group V comprises claims 1-2 and 4-16, drawn to a method of

increasing the yield of a plant by transformation with a construct comprising a gene encoding invertase operable linked to a controllable promoter, DNA construct used in the method, and plants produced by the method. A clean copy of the claims is attached.

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Respectfully submitted,
HALE AND DORR LLP

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